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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

CONFEDERATED TRIBES AND  
BANDS OF THE YAKAMA  
NATION, a sovereign federally  
recognized Indian Tribe,

Plaintiff,

v.

CITY OF TOPPENISH, a  
municipality of the State of  
Washington

Defendant.

**Case No.: 1:24-cv-03189**

**DECLARATION OF JENECE  
HOWE IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

I, Jenece Howe, declare and say that:

1. I am the program manager of Yakama Nation Village of Hope, and I am overseeing the operation of the Yakama Nation's Iniinu't 24-hour Emergency Cold Weather Shelter (hereinafter the "Emergency Shelter"). I make this Declaration in support of Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction. The following statements are based on my personal knowledge.

DECLARATION OF JENECE HOWE IN SUPPORT OF  
PLAINTIFF'S MOTION FOR TEMPORARY  
RESTRAINING ORDER AND PRELIMINARY  
INJUNCTION — 1

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1           2.     During the 2023-2024 cold weather season, the Yakama Nation held  
2 its 24-hour emergency cold weather shelter at the Yakama Nation's former police  
3 station and detention center. The facility is now condemned and scheduled for  
4 demolition. We subsequently reached an agreement with the Yakima Valley  
5 Farmworkers Clinic to host the Emergency Shelter for the 2024-2025 season in  
6 Toppenish, Washington and on the Yakama Reservation.

7           3.     In October 2024, my staff reached out to the City of Toppenish to  
8 arrange a meeting between the Yakama Nation and Toppenish City Council to  
9 present the Yakama Nation's Emergency Shelter plans and listen to the City  
10 Council's comments and concerns.

11          4.     On October 21, 2024, Yakama Nation Tribal Council Members and  
12 my staff presented the Yakama Nation's Emergency Weather Shelter plans to  
13 Defendant at Toppenish City Hall. The City did not clearly support or oppose the  
14 Yakama Nation's Emergency Shelter

15          5.     On November 1, 2024, Yakama Nation Tribal Council Members and  
16 my staff held a follow up meeting with Defendant at the Yakama Nation  
17 Governmental Headquarters. The Yakama Nation once again expressed its plans  
18 for the Emergency Shelter and requested the City's position and further explanation  
19 of the City's concerns, if any. The City did not clearly support or oppose the  
20 Emergency Shelter at this meeting.

21          6.     On November 7, 2024, the Yakama Nation Tribal Council, concerned  
22 about dropping temperatures and increased precipitation, passed Tribal Council  
23 Resolution T-010-25 that directed my staff to work with the Yakima Valley  
24 Farmworkers Clinic and open the 24-hour Emergency Shelter.

25          7.     Between November 18, 2024 and November 19, 2024, my staff,  
26

1 alongside Yakima Valley Farmworkers Clinic, worked to prepare the Emergency  
2 Shelter for opening as soon as possible.

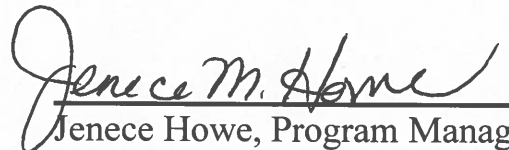
3 8. On November 20, 2024, my staff opened the Emergency Shelter at  
4 8:00 AM and began receiving individuals seeking shelter. My staff searched each  
5 individual for contraband such as weapons, narcotics, and alcohol to ensure the  
6 premises remained weapons free and drug free to protect the health and safety of  
7 staff and patrons.

8 9. At or around 12:30 PM on November 20, 2024, our program was  
9 informed that the City contacted the Yakima Valley Farmworkers Clinic and stated  
10 that the City would not change its position on a maximum daily operating time of  
11 six (6) hours, suggesting that the City would take enforcement actions against  
12 Yakima Valley Farmworkers Clinic if it allowed 24-hour operations.

13 10. The City of Toppenish has allowed a non-Indian 501(c)(3) entity to  
14 operate a 24-hour homeless shelter in the same facility in past years.

15 11. I declare under penalty of perjury under the laws of the United States  
16 of America that the foregoing information is true and correct.

17  
18 Respectfully submitted this 21st day of November, 2024.

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21 Jenece Howe, Program Manager  
22 Yakama Nation Village of Hope  
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